

OFFICE OF PETITIONS
SPECIAL PROCEDURES SUBMISSION

Docket No.: M1071.1244/P1244
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masayuki Atokawa et al.

Application No.: 09/764,046

Filed: January 17, 2001

For: DIELECTRIC FILTER, ANTENNA
SHARING DEVICE, AND
COMMUNICATION DEVICE

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JUL 15 2004

OFFICE OF PETITIONS

Allowed: June 2, 2004

Confirmation No.: 5678

Art Unit: 2817

Examiner: B. T. Lee

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313 (c)(3)**

Office of Petitions
Crystal Plaza 4
2201 South Clark Place
Room 3C23
Arlington, VA 22202

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on July 2, 2004.

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with an Information Disclosure Statement) a copy of which is enclosed.

07/16/2004 AKELLEY 0000002 09764046

01 FC:1460

130.00 OP

DOCSNY113946

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) or (i). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. M1071.1244/P1244.

Dated: July 15, 2004

Respectfully submitted,

By Richard LaCava
Richard LaCava

Registration No.: 41,135
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 900.00)

| Complete if Known | |
|--------------------------|------------------------|
| Application Number | 09/764,046-Conf. #5678 |
| Filing Date | January 17, 2001 |
| First Named Inventor | Masayuki Atokawa |
| Examiner Name | B. T. Lee |
| Art Unit | 2817 |
| Attorney Docket No. | M1071.1244/P1244 |

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METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number 50-2215

Deposit Account Name Dickstein Shapiro Morin & Oshinsky LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

OFFICE OF PETITIONS

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-----------------------------------|--------------|---------------------------------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 1051 | 130 | 2051 | 65 Surcharge – late filing fee or oath |
| 1052 | 50 | 2052 | 25 Surcharge – late provisional filing fee or cover sheet. |
| 1053 | 130 | 1053 | 130 Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 For filing a request for ex parte reexamination |
| 1804 | 920* | 1804 | 920* Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* Requesting publication of SIR after Examiner action |
| 1251 | 110 | 2251 | 55 Extension for reply within first month |
| 1252 | 420 | 2252 | 210 Extension for reply within second month |
| 1253 | 950 | 2253 | 475 Extension for reply within third month |
| 1254 | 1,480 | 2254 | 740 Extension for reply within fourth month |
| 1255 | 2,010 | 2255 | 1,005 Extension for reply within fifth month |
| 1401 | 330 | 2401 | 165 Notice of Appeal |
| 1402 | 330 | 2402 | 165 Filing a brief in support of an appeal |
| 1403 | 290 | 2403 | 145 Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 Petition to institute a public use proceeding |
| 1452 | 110 | 2452 | 55 Petition to revive – unavoidable |
| 1453 | 1,330 | 2453 | 665 Petition to revive - unintentional |
| 1501 | 1,330 | 2501 | 665 Utility issue fee (or reissue) |
| 1502 | 480 | 2502 | 240 Design issue fee |
| 1503 | 640 | 2503 | 320 Plant issue fee |
| 1460 | 130 | 1460 | 130 Petitions to the Commissioner |
| 1807 | 50 | 1807 | 50 Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 Recording each patent assignment per property (times number of properties) |
| 1809 | 770 | 2809 | 385 Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 770 | 2810 | 385 For each additional invention to be examined (37 CFR 1.129(b)) |
| 1801 | 770 | 2801 | 385 Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 Request for expedited examination of a design application |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | SUBTOTAL (3) (\$ 900.00) | |

** or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY | | (Complete if applicable) | | |
|-------------------|-----------------------|--------------------------------------|--------|--------------------------|
| Name (Print/Type) | Richard LaCava | Registration No. (Attorney/Agent) | 41,135 | Telephone (212) 896-5484 |
| Signature | <i>Richard LaCava</i> | | | Date July 15, 2004 |